BRITISH COLUMBIA

FAMILY MAINTENANCE ENFORCEMENT PROGRAM

ANNUAL REPORT
2009 – 2010

BRITISH
COLUMBIA
The Best Place on Earth

August 2010

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FOREWARD

EXCEEDING EXPECTATIONS

The results of the 2009/10 fiscal year were surprising, to say the least. In April 2009 there was every indication that parents in British Columbia would see a reduction in the amount of support that was paid and received. The recession was driving down employment, challenging paying parents to meet their obligations. Those receiving support payments faced a double challenge. With about ¾ of all recipients employed, there were expectations that hours might be reduced or jobs lost entirely, resulting in lower family incomes. Coupled with that, support payments from the other parent were likely to be less in amount and frequency. For the first quarter of the fiscal year, the numbers painted a grim picture. This came on the heels of the most successful year in the program's history, with over $170 million paid through FMEP last year.

So what happened? There was a dramatic turnaround in the last 9 months of the year and total payments were almost $3 million more than last year.

There are many factors that drove the results, from parents making support payments a priority during tough times to the dedication of FMEP staff to ensure that available funds were used to meet obligations.

We know that it was a very busy year. Over 493,000 payment transactions were processed, 463,000 telephone inquiries addressed and 906,000 web contacts made. While total caseload growth was modest, more than 4300 cases were newly enrolled or re-enrolled after leaving the program.

These numbers reflect the excellent technical support that is provided to staff and managers in the program. Success, however, is often achieved by taking the smaller steps of working with clients to address their needs. Whether it is reaching an agreement to repay arrears, explaining the process to change a support obligation or telling a client of the steps that have been taken to recover funds, FMEP is very much a "people" business.

This past year the people in FMEP exceeded all expectations, and achieved results that made a profound difference in the lives of children and families in British Columbia and in the jurisdictions of our reciprocating partners.

Chris Beresford
Director of Maintenance Enforcement

1. FMEP HIGHLIGHTS 2009–2010

- The FMEP serves around 84,000 parents and almost 67,000 children, approximately one in fifteen children in British Columbia.
- Despite the difficult times in British Columbia and elsewhere, the amount collected in 2009-2010 exceeded the previous year by over $550 thousand, totalling $173.5 million, the largest amount in FMEP's 21 years of operation.
- Payments were received on 83 percent of the FMEP's cases.
- The FMEP support enforcement caseload grew for the first time in seven years, driven largely by an increase in assigned cases (cases where the maintenance recipient is receiving income assistance).
- The FMEP continues to be a program that supports low income families. Over 44 percent of maintenance recipients are currently in receipt of income assistance or have been at some point during the time their file has been enrolled,
- In 2009–2010 inquiries to the FMEP website to access case specific and general FMEP information continued to grow, exceeding one million hits in one year for the first time.
- Over 22 percent of recipients now use the FMEP website regularly.
- Client usage of the website to communicate on their files continued to grow in 2009–2010, regional client offices handled over 50,000 e-messages.
- Incoming calls to the FMEP continued to increase, with over 1000 calls/call-back requests being received by the FMEP call centres each day.
- The use of electronic banking by FMEP clients continues to increase, with 62 percent of recipients receiving their payments through direct deposit and 26 percent of the funds received in any month coming from payors using internet or telephone banking to send their payments.
- The FMEP continues to be a cost-neutral Program for government, as it collects more in payments that are offset against income assistance and government fees, than it costs the Province to run the Program.

2. CLIENTS AND CASES

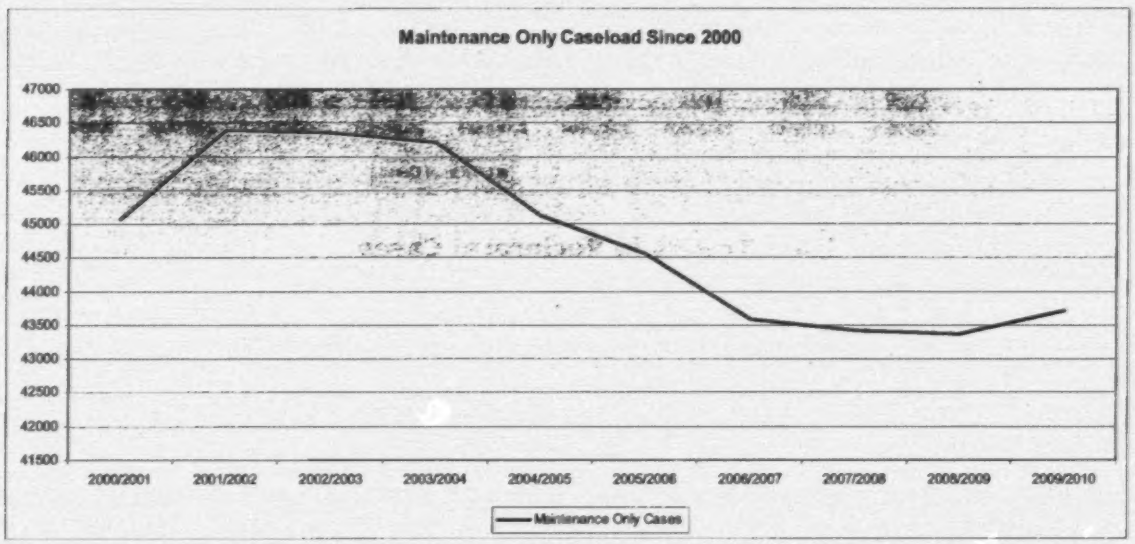
2.1 Overview

After a number of years of declining caseloads, the overall FMEP caseload appears to have reached a plateau, at just under 46,700 cases. Of these cases, 96 percent involve the collection of child or spousal support, and the remaining 4 percent are government fee only cases.

The FMEP's support enforcement caseload grew in 2009-2010 – for the first time in seven years. The largest area of growth is in the assigned cases – cases where the maintenance recipient is receiving income assistance.

2.2 Support Enforcement Cases

The 2009-2010 year marked the first time that the child and family support segment of the enforcement caseload has increased since 2001-2002. The total FMEP non-fee caseload at March, 31, 2010 was 43,713 cases, an increase of 339 cases over the previous year. This growth in overall caseload follows a seven year decline in support enforcement caseload, from its peak of 46,389 cases in 2001–2002.



Although the overall change in the caseload appears small, the total numbers mask a significant turnover in cases over the year. More than 5500 new cases were enrolled, or re-enrolled in the Program, and 5200 cases withdrew from the Program. Interestingly, this is the first time in five years that the number of new cases coming in to the FMEP exceeded the number of cases being withdrawn.

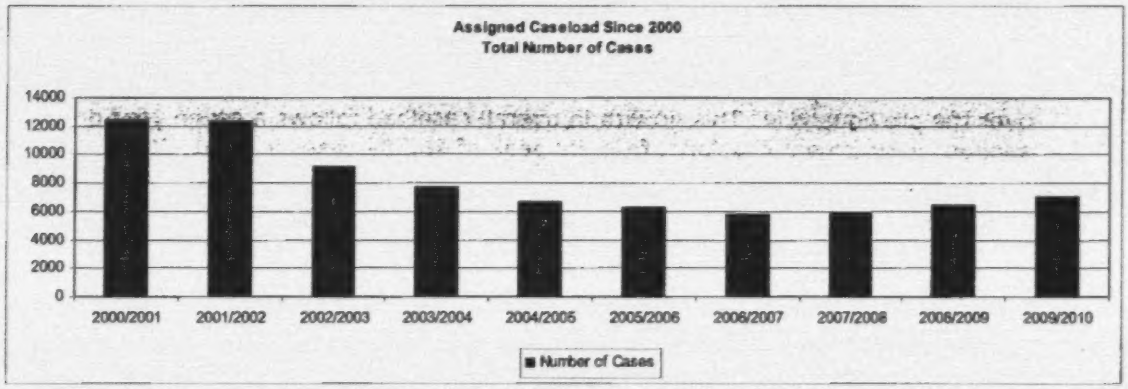
Regionally, the caseload growth has taken place primarily in the Lower Mainland. Caseloads in Victoria and in the Northern/Interior regions have remained relatively static. The number of cases being enforced in jurisdictions outside British Columbia has also decreased, as discussed in the reciprocal enforcement section below.

"Thank you again for all your outstanding work and help for us. If it wasn't for you, my daughter and I would be out of so much money – we would definitely be in debt, hungry and we would not be able to pay our rent. Thank you so much again!"
- FMEP Recipient

Within the support enforcement caseload, cases where the recipient is not in receipt of income assistance (non-assigned cases) dropped very slightly in 2010, following the pattern that has existed for the past six years. In contrast, as noted in the next section, the number of cases where the recipient was in receipt of income assistance (assigned cases) increased over the year.

2.3 Trends in Assigned Cases

Within the support enforcement caseload, there has been a marked increase in the number of assigned cases. These cases currently make up 16 percent of the total caseload, and have been growing at an annualized rate of just over 7% per year for the past three years.



2.4 Trends in Reciprocal Cases

Cases where either the maintenance recipient or the maintenance payor lives outside British Columbia are known as reciprocal cases. Where the maintenance recipient lives outside British Columbia, the BC Program will collect the maintenance at the request of the support enforcement program in the recipient's home jurisdiction. Similarly, where the support payor is outside British Columbia, the BC Program will request the jurisdiction where the payor lives to enforce the case on our behalf.

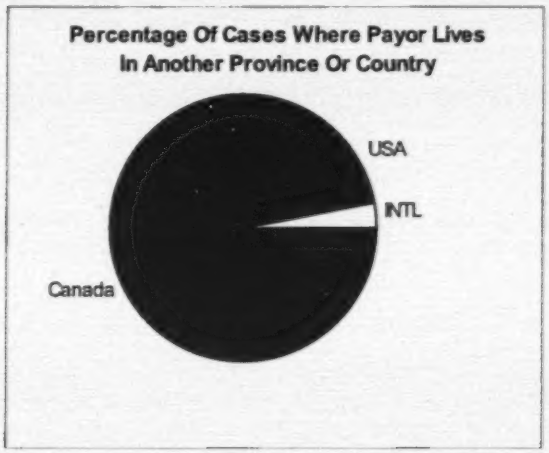
Most of British Columbia's reciprocal cases (cases where one party lives outside the Province) involve parents who live in the rest of the Canada. Cases with a parent in the United States make up only 9 percent of the reciprocal caseload, and international cases constitute just over 1 percent.

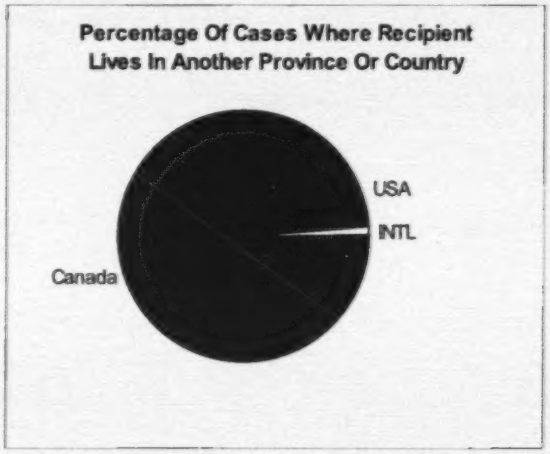
In 2009–2010 the Program had 9036 reciprocal cases. Slightly over half (57 percent) were cases where payors lived outside British Columbia.

The overall reciprocal caseload has fallen over the past three years, as a result of a decreasing number of cases involving payors living outside British Columbia. This likely reflects the economic slowdown, particularly in Alberta. Over the last three years, the number of cases involving payors who live in Alberta and recipients who live in British Columbia has declined by 12 percent.

In contrast, cases where the recipient lives outside British Columbia and the payor lives in British Columbia have increased slightly. Recipients who live elsewhere in Canada account for 91 percent of the cases, 8 percent involve recipients living in the United States, and the

remaining 1 percent are international (non-United States) cases. The percentage of cases where the recipient lives in British Columbia and the payor lives elsewhere in Canada is slightly lower. Cases where the payor lives in another Province, in the United States or in another country, make up 87, 10 and 3 percent respectively of this type of caseload.





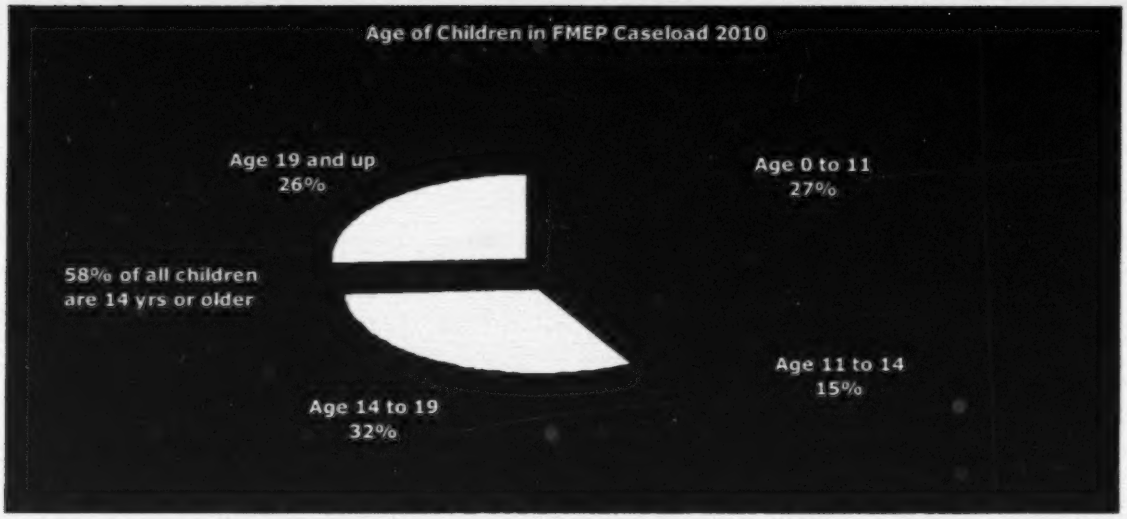
2.5 Government Fee Cases

The FMEP also has a number of cases where the maintenance (including arrears) has been fully paid, and the case remains open with the Program to collect outstanding fees owed to government. The last two years have seen a noteworthy drop in the number of government fee-only cases. In 2008-2009, the Program launched a significant effort to collect the outstanding fees. As a result, the fee-only cases have been reduced from almost 20 percent of the caseload to just over 4 percent.

2.6 Parents and Children

> *"I'll never forget the help I received from the FMEP & how it changed my daughter's (and therefore my) life."*
> - FMEP recipient

As a result of the increase in enrolled cases, the FMEP collected maintenance for slightly more children this year. There were 66,971 children on the Program caseload, 515 more than last year. The average age of the children on the caseload has increased slightly, to just over 15 years of age. As the chart below indicates, almost 60 percent of the children that are owed child support are over 14 years of age. The general societal trend for children to remain at home dependent upon a parent for support, for longer periods of time is also reflected in the FMEP client population, as there are almost as many children on the FMEP caseload over the age of 19 as there are under the age of 11 years.



Not surprisingly, given the age of the children on the FMEP caseload, parents involved with the FMEP are in their early 40's. The average age for a maintenance recipient is 41.3 yrs; the average age for a payor is almost 43.9 yrs.

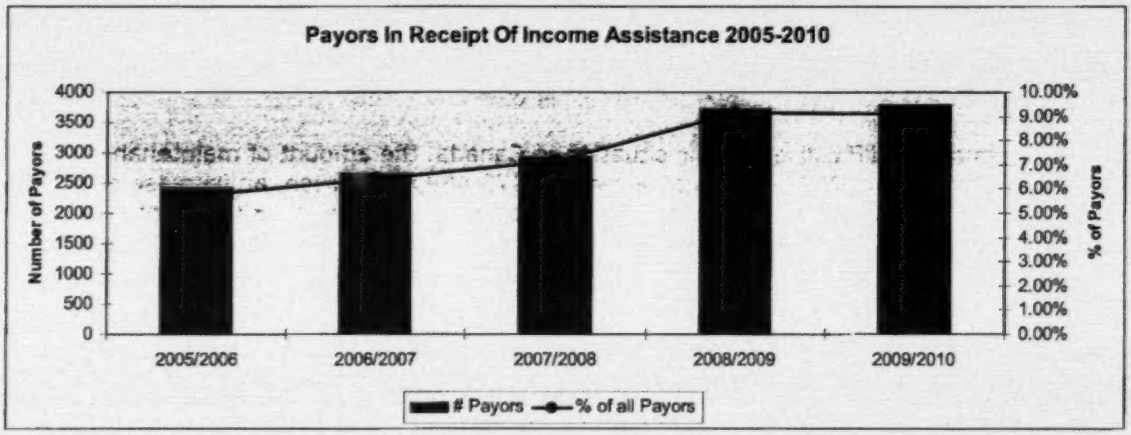
Most FMEP cases involve just one or two children, however, an increasing number of maintenance payors and recipients have more than one case enrolled in the FMEP, and are supporting children from more than one relationship. The percentage of cases where either the payor or the recipient has more than one case is now 16 percent of the FMEP caseload.

Most FMEP clients live in the major urban areas in the Province, with one third of all recipients and payors living in Surrey, Vancouver or Victoria.

The FMEP provides significant support for those currently in receipt of income assistance or for clients formerly on income assistance, who depend upon the maintenance they receive for their ability to continue to meet their family's needs without resorting to income assistance. Income assistance recipients made up 16 percent of the FMEP caseload during the 2009-2010 year, and in total, 44 percent of FMEP recipients have been in receipt of income assistance at some point during the time their case has been managed by the FMEP.

The FMEP is an important part of BC's social safety net for low income clients. 44 percent of maintenance recipients are currently in receipt of income assistance or have been at some point while their case has been with the FMEP.

The number of payors in receipt of income assistance rose slightly increasing from 2008-2009, as shown in the graph below. This continued a trend that started with the 2005-2006 fiscal year.

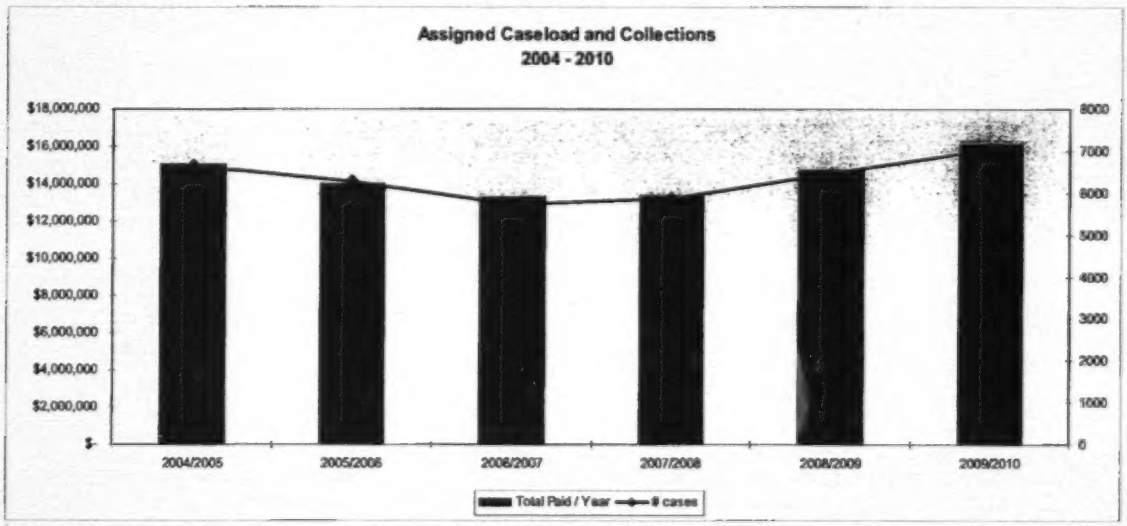

Payors In Receipt Of Income Assistance 2005-2010
Number of Payors
4000
3500
3000
2500
2000
1500
1000
500
0
10.00%
9.00%
8.00%
7.00%
6.00%
5.00%
4.00%
3.00%
2.00%
1.00%
0.00%
% of Payors
2005/2006
2006/2007
2007/2008
2008/2009
2009/2010
Payors
% of all Payors

3. FAMILY SUPPORT OUTCOMES

3.1 Payments Received

Despite the difficult economic situation in Canada, the amount of maintenance paid through the Program in 2009-2010 was a record $173,469,429 million, an increase of just over $550,000 from the previous year. Over the course of the year, 83 percent of recipients received some amount of maintenance. Once a recipient starts receiving funds, they can expect an average of almost $400.00 per month.

The FMEP provides a significant cost offset to government for clients in receipt of income assistance. In 2009–2010, over $16 million was received by these clients and offset against future income assistance. As the chart below indicates, there has been a steady growth in the funds received on assigned cases, and over the history of the FMEP, more than $ ¼ billion has been offset against these government costs.

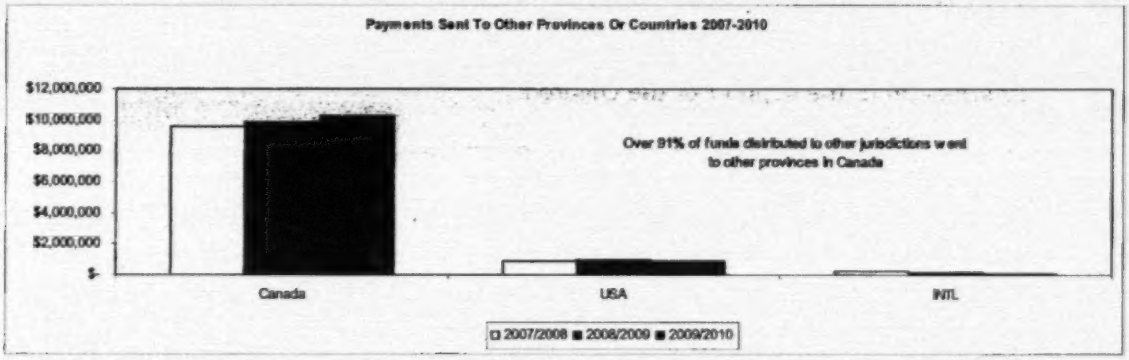


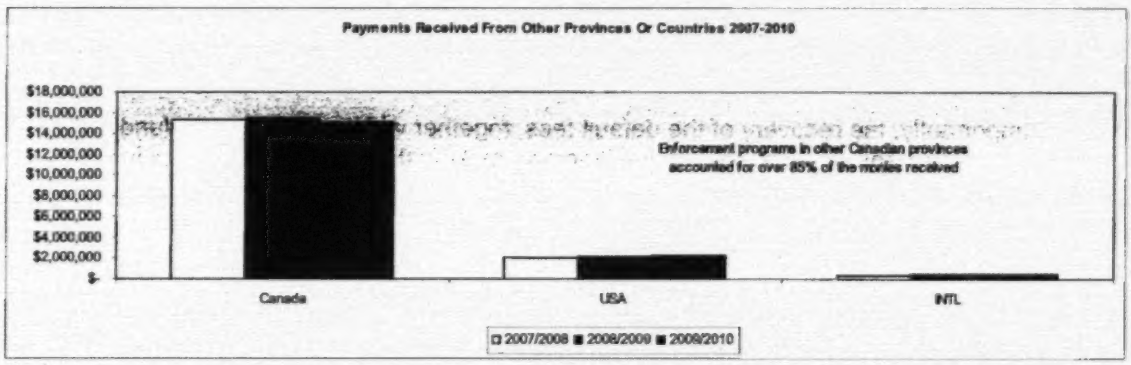
3.2 Collections on Reciprocal Cases

With the slight decline in cases from British Columbia being enforced outside the Province, in particular in Alberta, there has been a decrease in the funds sent by those jurisdictions to British Columbia. As charts below indicate, collections for other jurisdictions (RDI cases) have grown slightly over the same time period. Reciprocal cases accounted for just over $29 million in collections in 2009-2010. Of that, over $25 million was received on cases where the other party (either payor or recipient) lives elsewhere in Canada. International cases (including the United States) only accounted for 13 percent of the total funds on reciprocal cases, and only 2 percent of FMEP total collections.

"Thanks so much for all of the information. The service, support and attention your office has provided over the years has always been greatly appreciated. Living outside of the country has made it difficult to keep up with the difference in law between here and there. Your office has made it so much easier, whenever I had a question."
- FMEP Payor who lives outside Canada

British Columbia's largest reciprocal partner in Canada is Alberta, and the largest reciprocal partner in the United States is Washington State. In 2009-2010, the FMEP collected $4.3 million for maintenance recipients living in Alberta, and $363,876 for maintenance recipients in Washington State. Those jurisdictions collected $9.7 million and $554,021 respectively, for maintenance recipients living in British Columbia.





3.3 Collection Rates and Arrears

The total maintenance received by the Program in 2009-2010 was $173,469,429. Almost $16.3 million was received in March 2010 alone, the highest month of collections in the Program's history. Based on this, the collection rate for 2009–2010, based on the total due and total received amounts, was almost unchanged from the previous year, at 88.3 percent.

As importantly, 83 percent of FMEP recipients received some payment in 2009-2010, and 41 percent of cases enrolled at the end of the fiscal year saw a reduction in their total arrears, during the fiscal year.

3.4 Maintenance Orders

The average Court order size (amount of maintenance due each month) for both assigned and non-assigned cases increased slightly, to $279 per month and $366 per month respectively.

The average annual amount received on cases where payments were made was $4703, down slightly from 2008-2009, when the average annual amount received was $4763. Notwithstanding this slight decline, for most of the FMEP's clients, this amount is a significant contribution to the support of the children.

3.5 Recovery for Government

In addition to the cost offset to government provided by the collection of assigned arrears, the FMEP also collects fees that are owed by maintenance payors to the government where there have been two missed or late payments over the course of the year. In 2009–2010 the FMEP collected $1.97 million in default fees.

Since 1997, the FMEP has collected $¼ Billion in funds that have been used to offset income assistance.

Since the inception of the default fee in 1997, the FMEP has collected almost $10.5 million dollars in default fees.

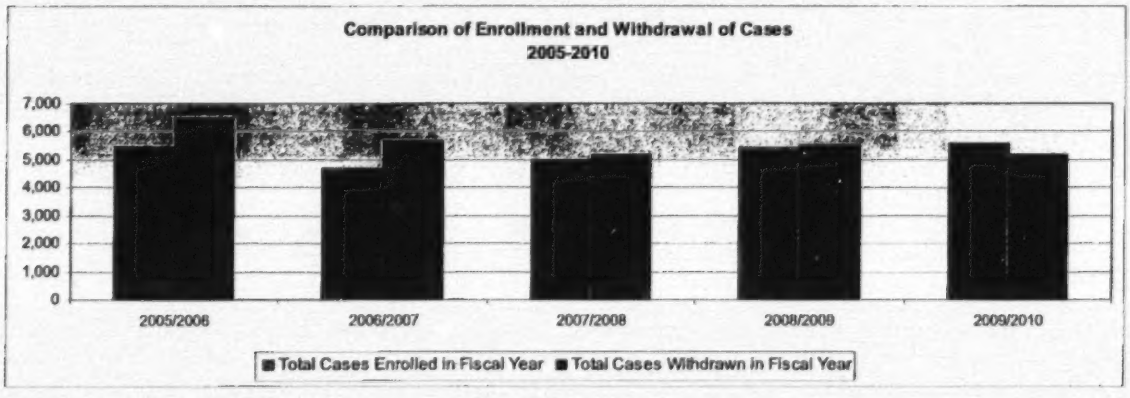
Importantly, the recovery of the default fees, together with the recovery of funds on assigned cases exceeds the total cost of the Program, making the FMEP cost-neutral for the government.

4. PROGRAM OPERATIONS

The 2009-2010 year was a very busy one for the FMEP. A record 5566 new or re-enrolled cases were processed by the Enrollment Office, and enforcement staff in all three offices initiated over 185,000 enforcement actions. On average, Payment Services processed over 2000 payments each day, a slight increase over the previous year.

4.1 Enrollment

For the past five years, the number of new cases enrolled each year has been almost matched by the number of active cases that withdrew over the course of the year. This has led to an almost static overall caseload. In 2009–2010 however, the FMEP saw a slight reduction on the number of cases being withdrawn, which, coupled with an increase in both new enrollment of new cases and re-enrollment of cases previously withdrawn, resulted in an increase in caseload.

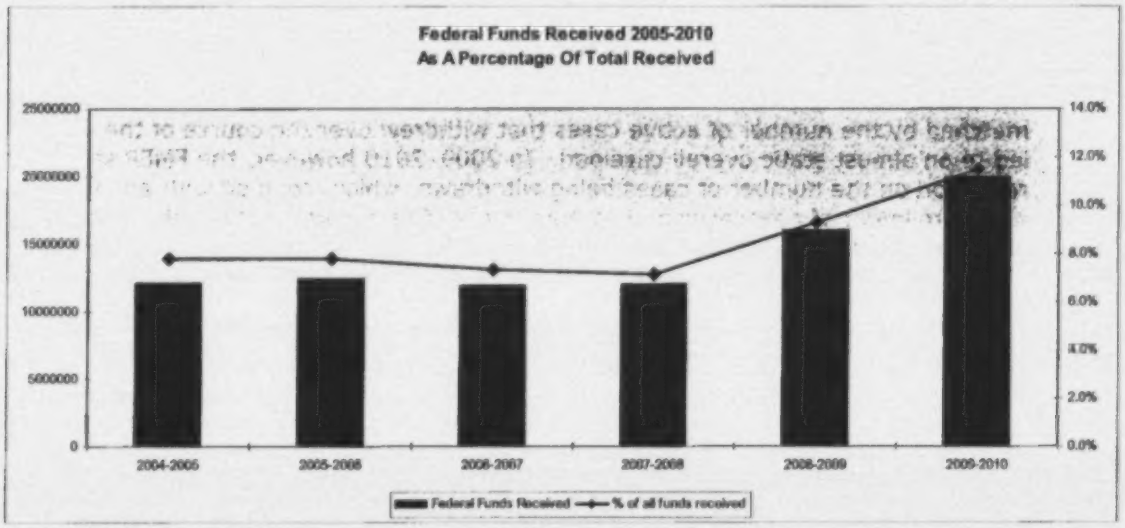


The total number of new cases enrolled in 2009-2010, (4777) was the highest number in any year in the FMEP's history. The increase was seen in both assigned and non-assigned cases. In addition to the almost 400 new cases enrolled each month, on average there are an additional 400 cases awaiting information from the Courts, necessary to complete the enrollment process. The FMEP continues to explore ways to reduce this backlog of cases, in order to expedite the flow of maintenance funds to the families and children involved in these cases.

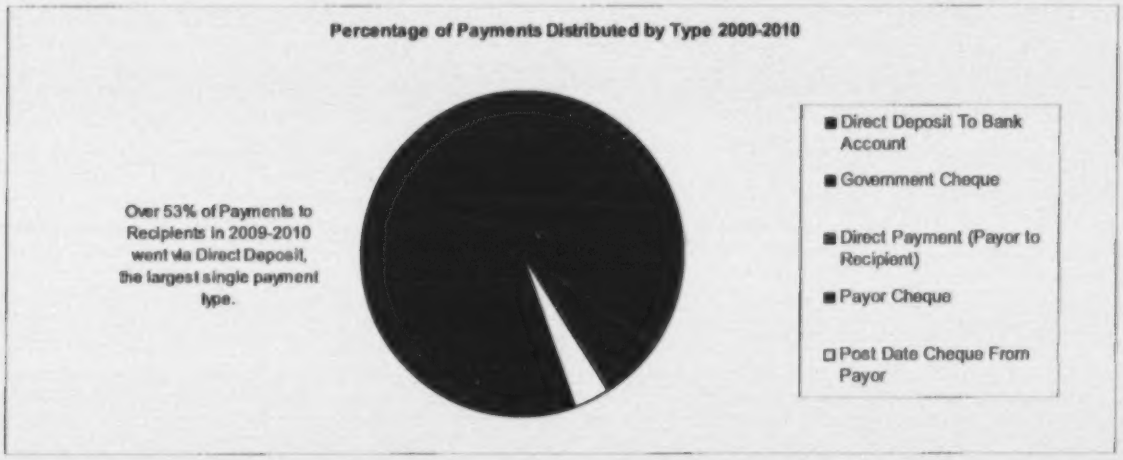
4.2 Payment Processing

The FMEP processed just over 508,000 maintenance payments during 2009-2010, or just over 2000 per working day. These payments come from payors, employers, other reciprocating jurisdictions and financial institutions or others who are subject to attachment by the FMEP. Over time the amount of maintenance received electronically has grown steadily – particularly from payors through internet or telephone banking and from the federal government. Internet banking by payors now accounts for 26 percent of the funds received by the FMEP.

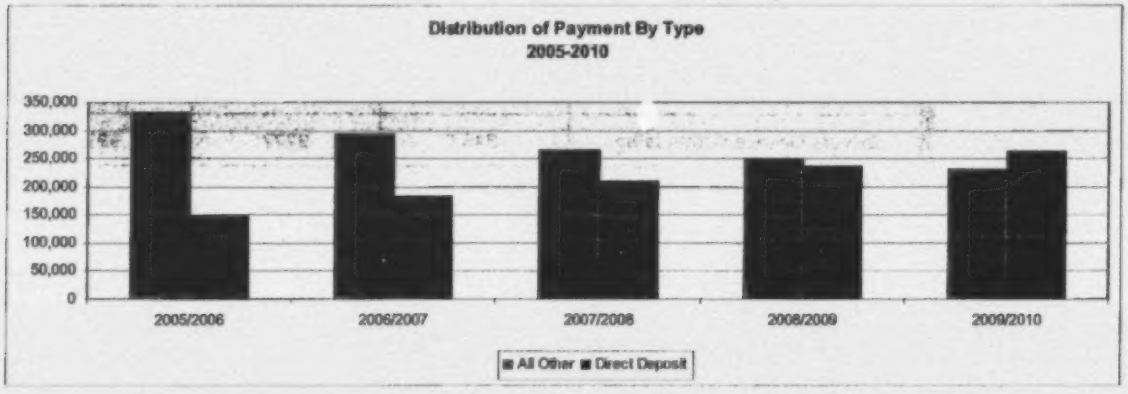
Payments received from the interception of federal funds such as income tax refunds, employment insurance and GST/HST refunds also increased significantly last year, as more payors were entitled to these types of benefits. In 2009-2010, 11.5 percent of the total payments received by the FMEP were from federal sources. Federal payments have risen in the past five years from just over $12.5 million to $19.9 million. This represents an increase of over 59% during the five year period.



There has been a similar shift to electronic banking on the part of recipients, with 62 percent of clients receiving their payments by way of a direct deposit into a bank account. The total funds disbursed by direct deposit, in 2009-2010, was just under $104 million. Over the past five years, this means of disbursement has largely replaced post-dated cheques, although, as the chart below shows, one in four clients still receives his or her payments by way of a government issued cheque.


Percentage of Payments Distributed by Type 2009-2010
Over 53% of Payments to Recipients in 2009-2010 went via Direct Deposit, the largest single payment type.
Direct Deposit To Bank Account
Government Cheque
Direct Payment (Payor to Recipient)
Payor Cheque
Post Date Cheque From Payor

The FMEP continues to encourage the transition away from cheques, to electronic payments both for payments to the FMEP and for funds paid out to recipients. As can be seen in the chart below, the FMEP has transitioned away from manual forms or payment processing, so the majority of transactions are now electronic via direct deposit.



4.3 Enforcement

Administrative enforcement is at the core of the enforcement measures initiated by the FMEP. Attachment of income or other sources of funds owed to the payor accounts for the majority of the funds received through enforcement by the FMEP. In 2009-2010 the FMEP saw a continuation of the trend from the previous year, with attachments of bank accounts increasingly being used on most files with arrears.

4.4 Administrative Enforcement

The FMEP continues to focus its resources primarily in the area of administrative enforcement. Of these, the most frequently used enforcement action is a notice of attachment, requiring an employer, financial institution or other organization that owes the payor money, to instead pay those funds to the FMEP. In 2009-2010, 56,940 notices of attachment were issued, an increase of 43 percent over the previous year. The primary reason for the increase was a legislative change allowing for the attachment of joint bank accounts.

In terms of all administrative enforcement actions, notices of attachment constitute 30 percent of the total actions initiated by the FMEP. The FMEP issued 81 percent of these attachments to bank accounts, either in the name of the payor, or jointly held by the payor and another person. Of the remaining number of attachments, more than 12 percent were attachments of wages and salary.

In late 2009-2010, the FMEP started to utilize a new enforcement remedy – denial of motor vehicle licences. Working with the Insurance Corporation of British Columbia, the FMEP issued 321 notices to payors that motor vehicle licences would be restricted, and proceeded with 11 restrictions, in cases where the payor was unwilling to pay or make arrangements to pay the outstanding arrears. Although limited to cases where FMEP payors own vehicles, this enforcement measure has provided the FMEP with an additional measure to reach payors who may not be willing to pay voluntarily.

Other types of administrative enforcement remained fairly constant, as shown in the monthly average chart below, despite any changes in the economy.

Enforcement Actions in Place	2007-2008	2008-2009	2009-2010
Notices of Federal Interception	19867	21112	21106
Drivers Licence Withholding	9457	9777	9974
Federal Licence Denial	10550	11245	11760
Land Registration	2546	2520	2575

The interception of funds from the proceeds of the sale of property continues to be an important source of funds for the FMEP. In 2009-2010, $1.9 million was recovered from this enforcement action.

4.5 Court Enforcement

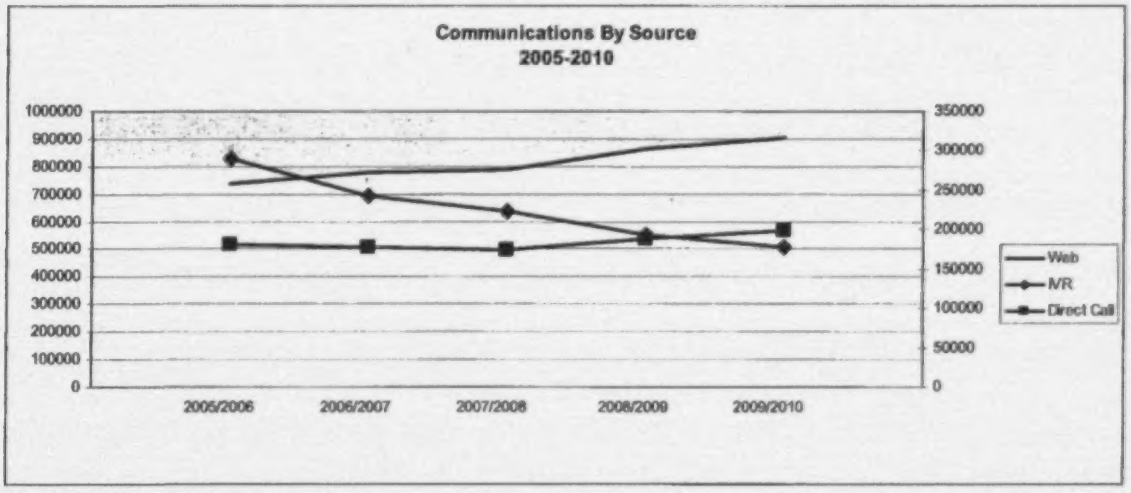
Enforcement measures initiated through the Court process are only initiated by the FMEP on cases where administrative action has proven ineffective or where court enforcement is likely to result in the more effective payment of the maintenance. The percentage of cases where Court enforcement occurs is very low; in 2009 – 2010 only 3.8 percent of FMEP cases involved Court enforcement.

"I just wanted to drop a quick note to thank-you for the confidence you always gave me, during the time of my payments for support. Things were tough at times but you always made me see the good and proper light of the situations, thank-you again"
- FMEP Payor

In some cases, the Court will make an order requiring a payor to make monthly or lump sum payments towards the arrears, in addition to the regular ongoing maintenance. If this order is not complied with, the Court may make an order of incarceration. In 2009-2010, $5.6 million was recovered on cases where this type of order was in place. 61 payors were incarcerated for wilful non-compliance with orders to pay on arrears of maintenance.

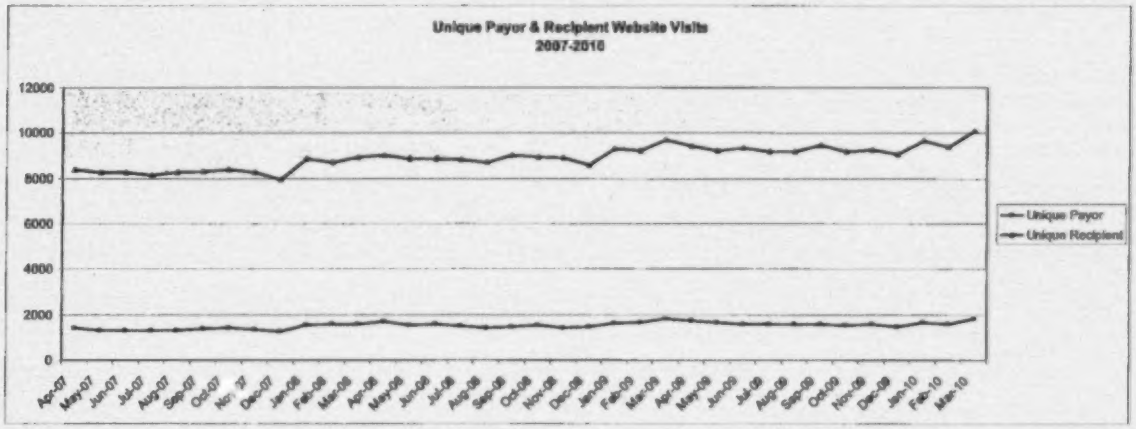
4.6 Client Service and Communications

Although the past five years have demonstrated a clear trend towards the use of the web as a preferred means of communication, for many of FMEP's clients there has been no corresponding permanent decrease in the number of incoming calls to the FMEP office.



Instead, as the chart demonstrates, clients still contact the FMEP offices regularly, however they are able to obtain routine case specific information from the FMEP website (www.fmep.ag.gov.bc.ca) when they need to.

The FMEP's website, which has now been in operation since 2002, received over 1 million hits last year alone, and the usage of the website by recipients, in particular, continues to grow each month. More than one out of every five recipients uses the website each month to send information to the FMEP or to look up details of their case. Each month, an average of over 4200 web messages are sent by clients through the website to the FMEP, providing a secure alternative to public email.



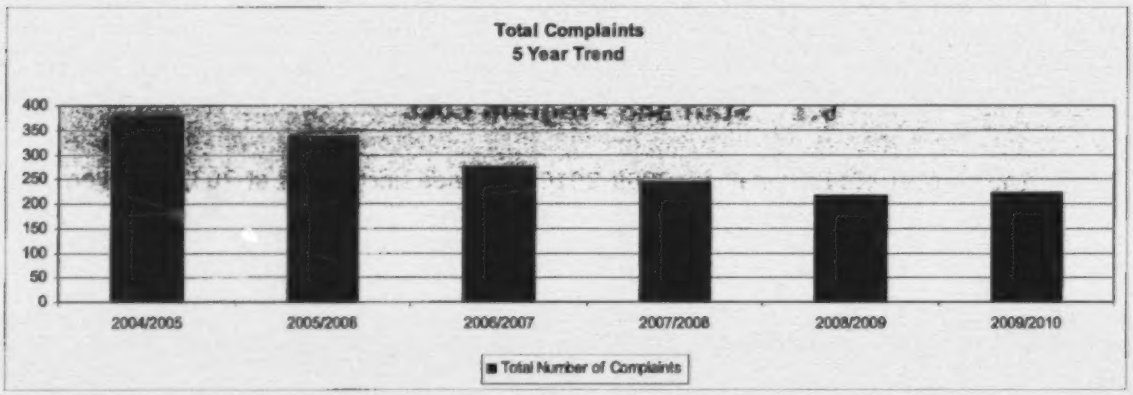
Although the FMEP generally deals with clients over the phone, through the website and by mail, limited in-person outreach services are available to clients through the Family Justice Centres or Justice Access Centres in the Lower Mainland, Kelowna, and as of January 2010, in Nanaimo. In 2009-2010, outreach staff from the FMEP provided services to 1370 clients across these locations. While the number of clients served by the outreach officers is fairly low, these outreach services are an important part of the overall strategic goal of the Ministry of the Attorney General to provide integrated family justice services through the Justice Access Centres.

The Outreach Officers also work with clients to set up payment arrangements and collect maintenance directly from clients under these arrangements. In 2009-2010, the outreach officers collected $427,518 in maintenance from clients that were seen in these locations.

5. CLIENT SERVICE AND COMPLAINTS

Excellent client service is an essential component of the services provided by the FMEP, and one of the key contributors to the growth in the collection of maintenance. By focusing on client service, and building effective working relationships with clients, FMEP's enforcement officers are able to encourage voluntary payments and support paying parents to meet their maintenance obligations.

Complaints by clients to either the FMEP or the office of the Director of Maintenance Enforcement continue to be very low. Less that one-half of one percent of the FMEP clients in any year initiate a complaint to the Program or to the Director. In 2009-2010, there were a total of 222 complaints over the year, an increase of five over the previous year. As the graph below shows, the number of complaints has fallen significantly since 2004-2005.



6. PROGRAM INITIATIVES

Over the 2009-2010 year, the FMEP continued to work on initiatives designed to improve collections and provide better service to clients and enforcement partners, including employers and enforcement programs in other jurisdictions.

Over the year, the FMEP worked with both the Ministry of Attorney General's Locate Services and Worksafe BC to support the implementation of new computer systems in these organizations. Enhancing the effectiveness and integrity of the automated interfaces and improving workflows and processes is critical to the continued success of the FMEP.

The FMEP was delighted to host a visit from the child support program of Nooksack Indian Tribe of Washington State in April. The visit was a wonderful opportunity for FMEP staff to learn about tribal child support enforcement in the United States and the FMEP was able to share some of its practices and processes with the child support workers from the Nooksack Tribe.

6.1 Staff and Program Cost

The number of FMEP staff for 2009-2010 remained unchanged at 203, however, in order to meet the ongoing challenges created by a fixed operations budget, all three regional offices left some vacancies unfilled over the year. Nonetheless, the FMEP continued to show increased efficiencies, with a slight increase from $11.84 to $11.87 of maintenance collected for each dollar invested in the Program.

7. OUTLOOK FOR 2010-2011

The results from the 2009-2010 year were extremely heartening for the FMEP. The increase in maintenance received shows that despite the difficult economic times, most maintenance payors were still able to pay their maintenance, and to support their families and children. In 2010-2011 we expect that many of the FMEP's clients, both recipients and payors, will still be experiencing the challenges created by the recession, and child support will continue to be very important for these families.

The FMEP will continue to focus on strengthening its client service and collections capabilities, to support families and children in the upcoming year. Ongoing cost pressures for the FMEP will also mean an increased focus on creating efficiencies and evaluating processes to ensure that resources are being directed to those areas that will provide the maximum benefit to children and families. Initiatives such as the conversion of all payments made by large employers to the FMEP into an electronic format are critical to allowing the FMEP to dedicate its resources to those activities that will result in increased collections and better service to clients.

> *"I am very proud to have this service for so many years helping me [support] my family in our difficult times, and may not have succeeded in the past if not for your support"*
> - FMEP Recipient

As the FMEP enters its 22nd year of operations, it will face new challenges and opportunities, and the families and children that depend upon the FMEP will continue to look to the Program for the support they need. Many FMEP staff have been with the Program for more than 10 years, and a number have reached their 20th year with the Program. Without the hard work and dedication of all of the FMEP staff, the successes of the Program would not have been possible. FMEP staff together with their colleagues in the Ministry of the Attorney General, and with the hundreds of employers, financial institutions, reciprocating jurisdictions and other organizations across Canada, make a huge difference to the lives of children and families in British Columbia and around the world.

> *"Thank you very much for your diligence.*
> *I have always appreciated your department's support in collecting child support on my behalf. My kids couldn't have flourished, as they did, without your department's ongoing work. They were able to participate in so many sports, events and school programs because of the money coming in, not to mention eat better food and wear appropriate clothing (winter boots, coats, etc). Not to mention having their parent spend more time with them instead of working another job.*
>
> *Please keep up your hard work and let everyone at your agency know how much their work is appreciated by all of us unable to support our children on our own."*
>
> - FMEP Recipient